

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF NEW YORK

IN THE MATTER OF THE EXTRADITION OF) Misc. No. 22 Mag. 7289
ANTHONY GERARD MAGUIRE)

CERTIFICATION AND COMMITTAL FOR EXTRADITION

~~PROPOSED~~

Having held an extradition hearing on November 14, 2022, and after considering the evidence, in particular, the certified and authenticated documents submitted by the Government of the United Kingdom, and the pleadings and the arguments of both counsel, the Court finds and certifies to the Secretary of State as follows:

(1) This Court has jurisdiction over, and the undersigned is authorized to conduct, extradition proceedings pursuant to 18 U.S.C. § 3184 and Rule 59.1(b) of the Local Criminal Rules of the U.S District Court for the Southern District of New York;

(2) This Court has personal jurisdiction over Anthony Gerard Maguire (“Fugitive”) found and arrested on September 14, 2022, in this District pursuant to a complaint filed by the United States in response to the request of Government of the United Kingdom for the arrest and extradition of the Fugitive;

(3) The extradition treaty between the United States and the Government of the United Kingdom, Extradition Treaty Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland, U.S.-U.K., Mar. 31, 2003, S. TREATY DOC. NO. 108-23 (2004) (the “2003 Treaty”), and related Exchanges of Letters, as amended by the Instrument (the “Instrument”) as contemplated by Article 3(2) of the Agreement on Extradition Between the United States of America and the European Union signed 25 June 2003, as to the application of the Extradition Treaty Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland signed 31 March 2003, U.S.-U.K., Dec. 16, 2004, S. TREATY DOC. NO. 109-14 (2006), with Annex (the “Annex”) reflecting the integrated text of the operative provisions of the 2003 Treaty and the Instrument (collectively, the “Treaty”), was in full force and effect at all times relevant to this action;

(4) The Anthony Gerard Maguire sought by United Kingdom authorities and the Anthony Gerard Maguire arrested in this District for extradition and brought before this Court are one and the same person;

(5) The Fugitive has been charged in the United Kingdom with violating Sections 4(1) and 5(1)-(3) of the Misuse of Drugs Act 1971, namely, with (i) possession of a controlled drug of Class A, (ii) possession of a class A drug with intent to supply, (iii) possession of a controlled drug of class B, and (iv) possession of a class B drug with intent to supply. The Government of

the United Kingdom has jurisdiction over this criminal conduct;

(6) The above referenced Treaty, pursuant to Article 2 of the Annex, encompasses the offenses for which the Fugitive has been charged and for which extradition is sought for trial;

(7) The Government of the United Kingdom submitted documents that were properly authenticated and certified in accordance with Article 9 of the Annex. Those documents include the pertinent text for the crimes with which the Fugitive has been charged;

(8) There is probable cause to believe that the Fugitive before this Court, the same person identified in the extradition request from the Government of the United Kingdom, committed the offenses for which extradition is sought;

(9) The evidence before this Court is sufficient to justify the Fugitive's committal for trial, on felony charges, had the offenses he is accused of committing occurred in the United States. This finding rests upon the documents submitted by the Government of the United Kingdom in this matter, including the (i) Statement of Facts, signed by Detective Constable Michael Brannigan on December 23, 2019, and the enclosures thereto; (ii) Statement of Law, signed by Principal Public Prosecutor David McClean on December 23, 2019, and the enclosure thereto; and (iii) Letter from Crown Solicitor Fiona Chamberlain, signed on May 26, 2020, and the enclosures thereto.

THEREFORE, pursuant to 18 U.S.C. § 3184, the above findings, I certify the extradition of the Fugitive, Anthony Gerard Maguire, to the United Kingdom, on all offenses for which extradition was requested, and commit the Fugitive to the custody of the United States Marshal pending further decision on extradition and surrender by the Secretary of State pursuant to 18 U.S.C. § 3186.

I further order that the Clerk of this Court forward a certified copy of this Certification and Committal for Extradition, together with a copy of the evidence presented in this case, including the formal extradition documents received in evidence and any testimony received in this case, to the Secretary of State.



HON. PAUL E. DAVISON
UNITED STATES MAGISTRATE JUDGE

DATED: November 18, 2022

Presented by:



Ryan W. Allison
Assistant U.S. Attorney